

**SB 54 Require Worker's Compensation Coverage
For Volunteer Firefighters**

Bob Harrington, DNRC Forestry Division Administrator Testimony

- Montana DNRC has a significant and important role in suppression of wildfire in Montana. Per statute (MCA 76-13-104) *"The department has the duty to ensure the protection of land under state and private ownership and to suppress wildfires on land under state and private ownership."*
- One successful method applied in meeting this duty has been to operate in partnership with all 56 of Montana's counties through the State/County Cooperative Fire Program.
- Under the Coop program the DNRC provides suppression assistance, firefighter training, and equipment, including 267 (as of FY12) fire engines, to the counties to provide initial attack capability for wildfires. This includes more than 125 new engines developed and placed in the counties since 2005. (See photos on reverse)
- A standard part of this partnership is a formal Cooperative Fire Control Agreement (F200) and a Cooperative Equipment Agreement (F202). These written documents provide the details of the State and County arrangement and list the responsibilities of both the State and the County.
- An important responsibility of the county in the Cooperative Equipment Agreement is: *"10. The county shall provide or ensure workers compensation insurance coverage on drivers, passengers or workers using or working with any equipment loaned under this agreement."*
- This requirement has been in place for many years, but recently some concern has been raised that some counties may not be providing for this coverage.
- Without universal worker's compensation insurance for volunteer firefighters, there remains potential liability to the State of Montana and risk to the success of the County Cooperative Fire Program.





Montana Department of Natural Resources and Conservation
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